

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KEVIN MARTIN; DAVID NORRIS; FRANK
STONE, individually and on behalf
of all others similarly situated,

No.C 10-04020 CW

Plaintiffs,

v.

MERRILL LYNCH, PIERCE, FENNER &
SMITH, INCORPORATED; MERRILL
LYNCH & CO., INC.; BRIAN RILEY
and DOES 1-20,

Defendants.

JOHN KERR, individually and on
behalf of all others similarly
situated,

No.C 11-01654 CW

Plaintiff,

v.

MERRILL LYNCH & CO., INC.;
MERRILL LYNCH, PIERCE, FENNER &
SMITH, INCORPORATED, and DOES 1-
25, inclusive,

Defendants.

The parties in the above-captioned, related cases have filed
a notice of settlement and stipulation to vacate the June 30, 2011
hearing currently scheduled for the Court to hear class-

1 certification and dispositive motions, and to continue the case
2 management conference currently scheduled for the Kerr case.

3 The June 30, 2011 motion hearing and case management
4 conference are vacated. The pending motion for Judgment on the
5 Pleadings filed in the Martin case is denied without prejudice to
6 refiling in the event a settlement is not finalized and approved.
7 Docket No. 39. A case management conference is scheduled for both
8 cases on August 23, 2011 at 2pm. This date can be vacated if a
9 different date is noticed for hearing on a motion to approve the
10 settlement.

11 IT IS SO ORDERED.

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13 Dated: 5/9/2011

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15 CLAUDIA WILKEN
16 United States District Judge
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